

EX PARTE OR LATE FILED

ORIGINAL**From:** Matthew Lafler [mlafler@norcalcenter.org]**Sent:** Wednesday, February 25, 2004 4:37 PM**To:** Michael Powell**Cc:** Kevin Martin; Kathleen Abernathy; Michael Copps; jonathon.aldestein@fcc.gov; Thomas Chandler; Phyllis Chandler**Subject:** Feedback FCC/VRS as a functional equivalent relay service**RECEIVED**

FEB 26 2004

Federal Communications Commission
Office of the Secretary

Dear Chairman Michael Powell (Attn: Chris Libertelli/Bryan Tramont);
Commissioner Martin (Attn: Dan Gonzales/Jason Williams)
Commissioner Abernathy (Attn: Matt Brill)
Commissioner Copps (Attn: Jessica Rosenworcel)
Commissioner Aldestein (Attn: Scott Bergman)

The possible decision concerning the FCC decision about the Video Relay Service (VRS) as an optional service is pretty much unacceptable. Seems like everyone in the FCC doesn't have a clue of how VRS benefits the Deaf Community. It appears that the people at FCC are catering to the "hearing folks" and ignoring the needs of the Deaf.

Does the FCC ever think for a moment to consider the actions which could affect a population whose lives have pretty much been in isolation and struggling to communication in a society today? You may want to consider familiarizing yourselves that VRS as a mandatory service, functionally equivalent to hearing persons telephone conversations as other relay services provided currently, that VRS is an necessary means of telecommunication access for the deaf population who has no other means of telephone access up until the time VRS was introduced 2 years ago. ASA requirements and other means of quality control, should indeed be applied to this VRS service. Without this oversight, the Consumer using this service has not achieved an equal status to telephone access. I would hope you consider yourselves as representing the Deaf population as well.

Thank you
Hugh Lafler
NorCal Center on Deafness

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ORIGINAL


From: Sfmxo@aol.com

Sent: Thursday, February 26, 2004 3:37 AM

To: Michael Powell; Kevin Martin; Kathleen Abernathy; Michael J. Copps; Federal Communications Commission

Cc: Thomas Chandler

Subject: FCC's goals for 2004 --a Laughingstock???

FEB 26 2004

Office of the Secretary

CC 98-67

February 26, 2004

Dear FCC Commissioners:

Recently, the FCC in its annual review conducted a presentation featuring its intended goals earmarking "Consumer Input" as its main highlight for 2004, (www.fcc.gov/realaudio/presentations/2004/011504/cgb.ppt).

This effort is commendable being that the FCC recognizes its "new" goals are in fact, long overdue.

I am puzzled though, as to when does the FCC intend to actually enforce its own goals?

One of the issues before you now, is to decide upon an important service for the Deaf and Hard of Hearing Community: Video Relay Service. Out of 24 billion Americans who have a hearing loss, amongst them is a smaller percentage of Deaf and Hard of Hearing ratepayers who depend on sign language as their primary mode of communication. For this segment of our population, the equivalency to access telephonic communication now proven after a 2-year trial and its importance of Video Relay Service (VRS) should already be well documented. Traditional relay services to achieves functional equivalency as mandated by the Americans with Disabilities Act, but only for the millions who are able to articulate their communication needs is quite well using such "text-only" based relay services (TTY relay, Online internet relay, etc. However, it is important that the FCC does not overlook the ratepayer population who is not functionally literate. Many of which do have substantial gainful employment, but are unable to receptively and expressively communicate their thoughts via such text-based relay services. With the remarkable breakthrough of VRS, deaf and hard of hearing persons who fall under this category are finally able to have true equal communication access to the telephone. It behooves us to think that the FCC would sweep under the rug the needs of this specific low-incidence population by proposing to make a decision to continue this service as an "optional/desirable" tool without any quality assurance controls or oversight. This service has proven itself to be the equivalent and therefore should now be endorsed by the FCC as a mandated service with specifications to regulate and control quality via ASA, ethics, and the like.

Related to your aforementioned goals to collect "Consumer Input", aren't you supposed to collect input from the target population who will use the service BEFORE actually making any decisions? Otherwise, what would be the point of this "new" goal?

Furthermore, just how do you intend to get the word out?

Your presentation states "web-based formats, various centers will be set-up, forms for individuals to download and fill out, etc". Do you realize now, these efforts are still in a format of text-only so the question remains, just how do you intend to collect feedback from a person who uses American Sign Language?. No doubt your forms are catered to receiving input from various ethnic backgrounds such as Spanish, Russian, Hmong, etc.

One suggestion I have, since this is about collecting input for a Video Relay Service, wouldn't your "bulletin" asking for input be in this target population's primary mode of communication via Video message itself? With instructions in sign language on how to provide input to the FCC, what the issue is that you are seeking, etc?

Since you did not ask us for input, Consumers nationwide have decided to give it to you anyway. And, because you did not ask us for input about a service you consider Optional, and we consider it as users to be critical, therefore it should be MANDATORY with Quality Controls over the ASA, ethics, etc.

Is it time, to involve our Congressional leadership to request that they step in and intervene? I know THEY at least listen and advocate on our behalf on civil rights: We are talking about a basic human need: Communication Access. The right to decide what form of communication works best for variety of individuals who have varying degrees of hearing loss should be left to the Consumers to decide what best fits their communication needs. Thus, the reason we need a variety of services to meet these communication needs of our population. These needs should be viewed as equal to, not lessor of the hearing population who has far more access to the world around us than the Deaf Community will ever have.

I'd like to ask that you put action in the goals you set up.
Get input from the Deaf & Hard of Hearing Consumers
BEFORE you make a decision.

Last but not least, recognize this is a true need. I am a Deaf woman with a professional career, my communication needs are somewhat met by the traditional relay services but the flow of the conversation when using VRS is actually more on par with that of what my hearing peers have today. I'm a graduate of California State University, Northridge, with my Masters Degree in Special Education. I'm just merely the "exception" rather than the "rule" of the greater target population of deaf and hard of hearing consumers who needs

this service in sign language, to gain access to employment to further themselves. National statistics still show that the average Deaf adult still reads at 3rd to 4th grade reading level. In California, the results of the STAR standardized tests of deaf children show that less than 24% barely passed, the remainder were "not tested", because they do not possess the necessary English skills to take such tests. What does this simple fact tell you? Quite honestly, it means that you are discriminating against a segment of the ratepayer population who still does not have equal access to the telephone in which they pay for out of their own pockets. When you finally get around to asking for input, even your own way of getting input which is all text-based, will fail.

I'm chosing at this moment, to use my own "text-based" skills to send my input on behalf of hundreds who cannot write such letters to you today:

Make VRS a mandatory service, one with specifications about quality assurances, controls and regulatory oversight.

Thank you,

Sheri A. Farinha, CEO
NorCal Center on Deafness
sfarinha@norcalcenter.org

CC: California Congressional Delegation

EX PARTE OR LATE FILED

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ORIGINAL

From: Karen Idler [kidler@norcalcenter.org]

FEB 26 2004

Sent: Wednesday, February 25, 2004 4:29

Federal Communications Commission
Office of the Secretary

To: Thomas Chandler

Subject: RE:VRS

CC 98-67

Attention: Tom Chandler, FCC Disabilities Rights Office

HELP!!! I am writing to plead with you! I am requesting that the FCC view VRS as a mandatory service, functionally equivalent to hearing persons' telephone conversations, just as other relay services are currently provided! **VRS is a necessary means of telecommunication access for the deaf population** who had no other means of telephone access until VRS was introduced 2 years ago! ASA requirements and other means of quality control should also be applied to VRS service. Without this, deaf consumers using this service have not achieved telephone access **equal to** the hearing population.

Thank you for your assistance in this vital matter which impacts the lives of all Deaf and Hard of Hearing and those they need to communicate with.

Karen Idler,
Job Developer/Employment Advocate
NorCal Center on Deafness
EDD Roseville
1880 Sierra Gardens - Suite 100
Roseville, CA 95661
(916)774-4035 TTY/Voice

"We make a living by what we get, but we make a life by what we give."

- Winston

Churchill

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EX PARTE OR LATE FILED

ORIGINAL

From: Danielle Thompson
Sent: Wednesday, February 25, 2004 4:14 PM
To: Thomas Chandler; Phyllis Chandler
Cc: KDane.Snowden@fcc.gov..fcc.gov
Subject: RE: MAKE VRS A MANDATORY SERVICE

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FEB 26 2004

Federal Communications Commission
Office of the Secretary

CC 98-67

Dear Sir/Madam:

I know you are all very busy people, however I want to make my point loud and clear: **MAKE VRS A MANDATORY SERVICE!!**

It was brought to my attention FCC is planning to make VRS an "optional" service. I currently work with many Deaf and Hard of Hearing who struggle to communicate using text messaging for many reasons. I have been using VRS with my clients and make it a habit for them to make phone, calls, contacts etc using VRS. I am absolutely shocked and outraged you made such a decision to make this service "optional" WITHOUT consulting consumers. This is like a dictatorship, making decisions to satisfy your Hearing consumers but leaving out the Deaf and Hard of Hearing. It is insulting and humiliating that you perceive us as second class citizens and went on to make such rash decisions, such as this one on making VRS optional.

NO where have I seen you doing any surveys on determining how many people use the VRS service, how often we use these services, etc. If you did send out such surveys, then why wasn't it advertised for us as Deaf and Hard of Hearing consumers to read, etc. ??

It also baffles me you made comments such as "saving ratepayers money" whose money are you saving? Who is more important : your hearing folks or we "second class citizens" as you have already labeled us??

If it is not in your heart to consider other persons who use VRS service, you should make this aware to all Deaf and Hard of Hearing consumers and stop trying to hide and make decisions without consulting us. You are probably aware that we Deaf and Hard of Hearing folks will make "Noise!". I will not back down and I will continue to rally my folks to make sure VRS becomes a MANDATORY SERVICE and not the ridiculous optional service as you are planning.

Sincerely,
 Danielle Thompson.

Danielle A. Thompson
 Outreach Coordinator/Client Advocate - Redding
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ORIGINAL

From: Nanci Linke-Ellis [nanci.linkeellis@insightcinema.org]
Sent: Wednesday, February 25, 2004 4:52 PM
To: Thomas Chandler; Phyllis Chandler;
Subject: VIDEO RELAY SERVICE NEEDS TO BE MANDATED

FEB 26 2004

Federal Communications Commission
Office of the Secretary

CC 98-67

Dear Commissioners:

It has come to my attention that the FCC is about to make a decision about the Video Relay Service (VRS) which has recently become available for deaf people whose primary mode of communication is ASL. Traditionally, the relay service has been set up for the majority of deaf and hard of hearing consumers who can use a text-based form of telephone service via TTY relay or online (internet) relay.

There is a segment of the population, however, for whom this text based form of communication via telephone access is not workable. Thus, they require Video Relay Interpreting services as their functionally equivalent service. I feel it is imperative that the FCC rule to make VRS a mandatory requirement that is functionally equivalent to hearing callers' telephone conversations. Additionally, ASA requirements and other means of quality control should also be applied to this ruling.

It's time to do the right thing for deaf and hard of hearing taxpayers. Please do not exclude anyone from their right to functionally equivalent phone service.

Thank you.

Sincerely,

Nanci Linke-Ellis
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